

## Message Text

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ORIGIN HEW-08

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DRAFTED BY OIH - LINDA VOGEL - SRS:M. MCCAVITT; GW

6/29/73 - 153-3454

APPROVED BY M/FRM/FM/C - RUSSELL P. WHITENER

OIA - V.R. DELONG

SCI - W.JENKINS

EUR/EE - E.E. SEGALL

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R 300029Z JUN 73

FM SECSTATE WASHDC

TO AMEMBASSY BELGRADE

UNCLAS STATE 129022

E.O. 11652: N/A

TAGS: ABUD, OSCI, AFIN, TECH, VO

SUBJECT: U.S. YUGOSLAV SCIENTIFIC AND TECHNOLOGICAL  
COOPERATION

1. PURPOSE OF THIS COMMUNIQUE IS TO TRANSMIT OFFICIAL  
TEXT OF GRANT DOCUMENT PREPARED BY DHEW, OFFICE OF INTER-  
NATIONAL HEALTH AND SOCIAL AND REHABILITATION SERVICE, TO  
OBLIGATE THEIR PRORATED SHARE OF FY 1973 USG CONTRIBUTION  
TO U.S.-YUGOSLAV JOINT FUND. DUE TO SHORT TIME AVAILABLE  
TO OBLIGATE THIS MONEY OFFICIALLY AND FOR EMBASSY MAKE  
NECESSARY DEPOSIT TO JOINT FUND, DEPARTMENT REQUESTS THAT  
EMBASSY OBTAIN APPROPRIATE SIGNATURES ON BEHALF OF JOINT  
BOARD ON THIS COMMUNIQUE. THESE SIGNATURES MUST BE OBTAIN-  
ED ASAP. A SIGNED ORIGINAL OF THE GRANT DOCUMENT WILL FOL-  
LOW. UPON RECEIPT OF SIGNATURES ON THIS COMMUNIQUE,  
EMBASSY AUTHORIZED TO DEPOSIT SRS AND PHS GRANT IN JOINT  
FUND ACCOUNT. FOR SOCIAL AND REHABILITATION SERVICE THE  
GRANT IS "DOLS." 65,000 EQUIVALENT IN YUGOSLAV NEW  
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DINARS AT RATE IN EFFECT ON DATE OF PAYMENT CHARGEABLE TO  
APPROPRIATION 75X0505, ALLOTMENT 35361819, OBLIGATION CLASS  
41.41. FOR PHS/OIH AMOUNT OF GRANT IS "DOLS." 698,000  
EQUIVALENT IN YUGOSLAV NEW DINARS AT RATE IN EFFECT ON DATE

OF PAYMENT CHARGEABLE TO APPROPRIATION 75X0837, ALLOTMENT  
3-199002, OBLIGATION DOCUMENT 020030, OBLIGATION CLASS  
25.34. TEXT OF THE GRANT DOCUMENT IS AS FOLLOWS:

UNITED STATES GOVERNMENT  
DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

1. AN AGREEMENT PROVIDING FOR THE CONDUCT OF RESEARCH  
AND RELATED ACTIVITIES PURSUANT TO THE "AGREEMENT BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE  
GOVERNMENT OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA  
ON SCIENTIFIC AND TECHNOLOGICAL COOPERATION", MAY 18, 1973

A. PARTIES TO THE AGREEMENT:

(1) THE OFFICE OF INTERNATIONAL HEALTH, OFFICE OF ASSIST-  
ANT SECRETARY FOR HEALTH, DEPARTMENT OF HEALTH, EDUCA-  
TION, AND WELFARE, HEREINAFTER REFERRED TO AS THE "OIH"

(2) THE SOCIAL AND REHABILITATION SERVICE, DEPARTMENT OF  
HEALTH, EDUCATION, AND WELFARE, HEREINAFTER REFERRED TO AS  
THE "SRS"

(3) THE U.S.-YUGOSLAV JOINT BOARD FOR SCIENTIFIC AND  
TECHNOLOGICAL COOPERATION, HEREINAFTER REFERRED TO AS THE  
"JOINT BOARD"

B. PURPOSE OF AGREEMENT:

TO PROVIDE FOR THE CONDUCT OF RESEARCH AND RELATED ACTIV-  
ITIES, WHICH WILL BE SELECTED MUTUALLY BY THE OIH OR THE  
SRS AND THE JOINT BOARD. AS PROVIDED IN ARTICLE IV OF THE  
U.S.-YUGOSLAV AGREEMENT ON SCIENTIFIC AND TECHNOLOGICAL  
COOPERATION, AT LEAST AN AMOUNT EQUIVALENT TO THE FUNDS  
PROVIDED BY DHEW SHALL BE USED  
, FOR PROJECTS FALLING WITHIN THE  
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PURVIEW OF THE LEGISLATIVE AND APPROPRIATION AUTHORITY OF  
THE CONTRIBUTING AGENCIES. THESE LEGISLATIVE AUTHORITIES  
ARE: FOR OIH, SECTION 104(B)(3) OF PUBLIC LAW 83-480,  
AS AMENDED BY PUBLIC LAW 89-808; AND PUBLIC LAW 86-610,  
SECTION 3. FOR SRS, SECTION 104(B)(3) OF PUBLIC LAW 83-  
480, AS AMENDED BY PUBLIC LAW 89-808; AND PUBLIC LAW  
86-610, SECTION 2.

C. EFFECTIVE PERIOD OF AGREEMENT:

THIS AGREEMENT BECOMES EFFECTIVE UPON FINAL SIGNATURE  
AND WILL EXTEND FOR FIVE YEARS FROM THE DATE OF THE FIRST  
PAYMENT TO THE JOINT BOARD, UNLESS OTHERWISE PROVIDED FOR  
BY AMENDMENT TO THE AGREEMENT

D. HEW GRANT TO JOINT BOARD:

OIH - "DOLS." 698,000 EQUIVALENT IN YUGOSLAV NEW DINARS  
AT RATE IN EFFECT ON DATE OF PAYMENT.

SRS - "DOLS." 65,000 EQUIVALENT IN YUGOSLAV NEW DINARS AT  
RATE IN EFFECT ON DATE OF PAYMENT. TOTAL DOLS. 763,000.

UPON RECEIPT OF FINAL APPROVAL OF THIS AGREEMENT, THE  
AMERICAN EMBASSY, BELGRADE, WILL DEPOSIT THE ENTIRE  
AMOUNT OF THE GRANT IN THE ACCOUNT ESTABLISHED FOR THE  
JOINT BOARD.

2. GENERAL TERMS AND CONDITIONS:

A. SELECTION OF PROJECTS

ALL PROJECTS FUNDED IN WHOLE, OR IN PART, WITH FUNDS PRO-  
VIDED UNDER THIS AGREEMENT SHALL BE SELECTED MUTUALLY BY  
THE DHEW, OIH OR SRS AND THE JOINT BOARD. IN ALL CASES  
THE RESEARCH PROTOCOL OR DETAILED DESCRIPTIONS FOR OTHER  
ACTIVITIES, SUCH AS SYMPOSIA OR CONFERENCES, SHALL BE  
SUBMITTED TO THE OIH OR SRS FOR REVIEW AND APPROVAL. IT  
IS AGREED THAT SUBSTANTIVE MODIFICATIONS IN THE PROPOSED  
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WORK CAN BE NEGOTIATED DIRECTLY BETWEEN THE OIH (OR ITS  
DESIGNATED REPRESENTATIVE) OR THE SRS AND THE CONCERNED  
INSTITUTION(S) IN YUGOSLAVIA. POLICY AND FINANCIAL  
QUESTIONS WILL BE HANDLED THROUGH OFFICIAL CHANNELS.

B. RECORDS AND REPORTS:

(1) RECORDS - IT IS AGREED THAT THE INDIVIDUAL PROJECT  
GRANTEES WILL KEEP ADEQUATE RECORDS WHICH WILL DOCUMENT  
THE PROGRESS MADE AND THE STATUS OF THE PROJECT(S) UNDER  
THEIR DIRECTION AS WELL AS FOR PREPARATION OF REPORTS  
ON THE SCIENTIFIC ASPECTS OF THE WORK. IT IS FURTHER  
AGREED THAT RECORDS OF OBLIGATIONS AND EXPENDITURES, TO-  
GETHER WITH RECEIPTS, VOUCHERS, CORRESPONDENCE, AND MEMO-  
RANDA ASSOCIATED WITH FUNDS RECEIVED AND EXPENDED IN  
CARRYING OUT THE INDIVIDUAL PROJECT ACTIVITIES WILL BE  
IN -  
MAINTAINED BY THE GRANTEE INSTITUTIONS FOR A PERIOD OF  
THREE YEARS FROM THE DATE OF COMPLETION OR TERMINATION  
OF EACH PROJECT OR UNTIL ANY AUDIT QUESTIONS ARE RESOLVED,  
WHICHEVER IS THE LESSER.

(2) REPORTS - PROGRESS AND FISCAL REPORTS ON ALL PROJ-  
ECTS SUPPORTED WITH FUNDS PROVIDED UNDER THIS AGREEMENT

WILL BE FURNISHED TO THE OIH OR SRS FOR REVIEW AND APPROVAL AT LEAST 60 DAYS IN ADVANCE OF PAYMENTS FROM THE JOINT FUND. IN NO CASE WILL REPORTS BE SUBMITTED LESS THAN ANNUALLY.

THE JOINT BOARD WILL PROVIDE THE OIH AND SRS WITH AN ACCOUNTING OF ALL DISBURSEMENTS FROM THE JOINT FUND ON BEHALF OF PROJECTS WHICH ARE SELECTED FOR SUPPORT UNDER THIS AGREEMENT. THIS ACCOUNTING WILL BE PROVIDED NO LESS THAN ANNUALLY.

AT THE CONCLUSION OF EACH PROJECT, A FINAL REPORT IN A FORM SUITABLE FOR PUBLICATION, INCLUDING ALL PERTINENT TECHNICAL DATA, AND SUMMARIZING THE WORK DONE, THE RESULTS ACCOMPLISHED, AND THE CONCLUSIONS DRAWN THEREFROM WILL BE SUBMITTED TO DHEW ALONG WITH A FINAL FISCAL REPORT.  
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ALL REPORTS WILL BE IN THE ENGLISH LANGUAGE UNLESS OTHERWISE PROVIDED FOR.

C. RESPONSIBILITIES OF THE OIH AND SRS:

THE OIH AND SRS WILL PROVIDE TECHNICAL ADVICE IN THE PLANNING AND EXECUTION OF ANY PROJECT FUNDED UNDER THIS AGREEMENT. IT IS AGREED THAT THE DESIGNATED U.S. PROJECT OFFICERS AND/OR CONSULTANTS WILL VISIT YUGOSLAVIA DURING THE COURSE OF THE PROJECTS AND THAT FUNDS WILL BE PROVIDED IN THE BUDGET OF EACH PROJECT AGREEMENT FOR THIS PURPOSE. THE PARTIES TO THIS AGREEMENT OR THEIR ACCREDITED REPRESENTATIVES WILL HAVE ACCESS AT ANY REASONABLE TIME TO THAT PART OF THE RESEARCH FACILITIES OR OFFICES UTILIZED IN CONNECTION WITH THE ACTIVITIES SUPPORTED UNDER THIS AGREEMENT FOR THE PURPOSE OF OBSERVING THE STATUS AND PROGRESS OF THE PROJECTS, AND ALL DATA, INFORMATION, RECORDS, AND ACCOUNTS RELATING TO THE PROJECTS SHALL BE AVAILABLE TO THESE REPRESENTATIVES AND SHALL BE MAINTAINED AVAILABLE FOR EXAMINATION FOR A MINIMUM OF THREE YEARS BEYOND COMPLETION OR TERMINATION OF EACH PROJECT.

D. PUBLICATIONS AND PATENTS:

(1) PUBLICATIONS - PUBLICATION AND COPYRIGHTING OF FINDINGS SHALL BE AT THE DISCRETION OF THE YUGOSLAV GRANTEE INSTITUTIONS AND SHALL BE IN ACCORDANCE WITH THE POLICY OF THE GOVERNMENT OF YUGOSLAVIA. THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE RESERVES A ROYALTY-FREE, NON-EXCLUSIVE, IRREVOCABLE LICENSE TO REPRODUCE, TRANS-

LATE, PUBLISH, USE AND TO AUTHORIZE OTHERS TO DO SO, ALL COPYRIGHTABLE OR COPYRIGHTED MATERIAL GENERATED BY THE IN-

VESTIGATIONS OR OTHER ACTIVITIES SUPPORTED UNDER THIS AGREEMENT. AT LEAST ONE COPY OF ANY PUBLICATION RESULTING FROM WORK SUPPORTED UNDER THIS AGREEMENT WILL BE PROVIDED TO THE DHEW. ACKNOWLEDGEMENT OF U.S. SUPPORT SHOULD BE MADE BY THE FOLLOWING OR COMPARABLE FOOTNOTE:

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"THIS (INVESTIGATION/SYMPOSIUM, ETC.) WAS SUPPORTED BY THE U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, (SOCIAL AND REHABILITATION SERVICE/NATIONAL INSTITUTES OF HEALTH/FOOD AND DRUG ADMINISTRATION/CENTER FOR DISEASE CONTROLL/HEALTH RESOURCES ADMINISTRATION/HEALTH SERVICES ADMINISTRATION) THROUGH FUNDS PROVIDED TO THE U.S.-YUGOSLAV JOINT BOARD FOR SCIENTIFIC AND TECHNOLOGICAL CO-OPERATION."

(2) PATENTS - ALL INVENTIONS CONCEIVED OR FIRST ACTUALLY REDUCED TO PRACTICE IN PERFORMANCE OF INVESTIGATIONS SUPPORTED UNDER THIS AGREEMENT SHALL BE REPORTED TO THE OIH OR SRS AND THE JOINT BOARD FOR DISPOSITION IN ACCORDANCE WITH THE POLICIES OF BOTH COUNTRIES AS SPECIFIED BELOW. THE OWNERSHIP AND MANNER OF DISPOSITION OF ALL RIGHTS IN SUCH INVENTIONS IN YUGOSLAVIA AND IN ALL OTHER COUNTRIES EXCEPT THE UNITED STATES SHALL BE FOR DETERMINATION BY THE JOINT BOARD, SUBJECT TO A NONEXCLUSIVE, NONTRANSFERABLE PAID-UP LICENSE TO MAKE, USE AND SELL SUCH INVENTIONS THROUGHOUT THE WORLD BY OR ON BEHALF OF THE GOVERNMENT OF THE UNITED STATES. THE OWNERSHIP AND MANNER OF DISPOSITION OF ALL RIGHTS IN SUCH INVENTIONS IN THE UNITED STATES SHALL BE DETERMINED BY THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE.

WITH RESPECT TO PATENTABLE RESULTS AND IN ACCORDANCE WITH THE FOREGOING PARAGRAPH, THE YUGOSLAV GRANTEE INSTITUTIONS WILL COOPERATE IN THE PREPARATION AND PROSECUTION OF ANY UNITED STATES PATENT APPLICATION, TO EXECUTE ALL PAPERS REQUISITE TO SUCH PROSECUTION, AND TO SECURE THE COOPERATION OF ANY OF ITS EMPLOYEES IN THE PREPARATION AND PROSECUTION OF SUCH PAPERS.

D. CLINICAL INVESTIGATIONS INVOLVING HUMAN SUBJECTS:

THE JOINT BOARD ASSURES THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE THAT ALL RESEARCH AND DEMONSTRATION INVOLVING HUMAN SUBJECTS WHICH ARE SUPPORTED UNDER THIS AGREEMENT SHALL BE DESIGNED, ADMINISTERED AND OPERATED IN SUCH FASHION THAT THE RIGHTS OF SUBJECTS SHALL NOT BE INFRINGED, THAT THEIR WELFARE SHALL BE PROTECTED, AND

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THAT THE POTENTIAL BENEFITS OF SUCH INVESTIGATIONS SHALL JUSTIFY WHATEVER RISKS MAY BE INHERENT IN THEM.

E. AUDIT:

A FINANCIAL AUDIT WILL BE MADE OF ALL EXPENDITURES UNDER THIS AGREEMENT IN ACCORDANCE WITH GENERALLY RECOGNIZED ACCOUNTING PRACTICES AND THE RESULTS MADE AVAILABLE TO DHEW. THE JOINT BOARD AGREES TO MAINTAIN ACCOUNT RECORDS IDENTIFIABLE BY PROJECT UNTIL AUDIT OR FOR THREE YEARS AFTER THE EXPIRATION OR TERMINATION OF THE AGREEMENT, WHICHEVER IS THE LESSER. DOCUMENTS SUCH AS INVOICES, TIME RECORDS AND PAYROLLS, AND CHECKS FOR INDIVIDUAL PROJECTS MAY BE MAINTAINED IN THE FILES OF THE YUGOSLAV GRANTEE INSTITUTIONS AS SPECIFIED ABOVE. RECORDS ON DISBURSEMENTS FROM THE JOINT FUND WILL BE MAINTAINED BY THE JOINT BOARD. THE JOINT BOARD AGREES TO RE-FUND PROMPTLY TO OIH OR SRS THE ENTIRE AMOUNT OF ANY CURRENCY PROVIDED THROUGH THIS AGREEMENT IF IT IS DETERMINED BY AUDIT THAT SUCH EXPENDITURE VIOLATED THE TERMS OF THE AGREEMENT.

F. TERMINATION OF AGREEMENT:

IN THE EVENT OF TERMINATION OF THE JOINT FUND, THE JOINT BOARD WILL SUBMIT TO DHEW A STATUS REPORT ON EACH PROJECT SUPPORTED UNDER THIS AGREEMENT AND A FINAL AUDITED FISCAL REPORT ON ALL MONIES DISBURSED AND/OR HELD BY THE JOINT BOARD WHICH WERE PROVIDED THROUGH THIS AGREEMENT. ANY UNEXPENDED BALANCES NOT REQUIRED FOR SERVICES RENDERED OR OBLIGATIONS INCURRED SHALL BE RETURNED TO THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE.

THIS AGREEMENT IS SIGNED IN ACCORDANCE WITH THE AUTHORITIES VESTED IN THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF INTERNATIONAL HEALTH, AND SOCIAL AND REHABILITATION SERVICE AND THE U.S.-YUGOSLAV JOINT BOARD FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION.

FOR THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE:

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/S/ S. PAUL EHRLICH, JR.  
DIRECTOR, OFFICE OF INTERNATIONAL HEALTH

/S/ JAMES F. GARRETT  
SOCIAL AND REHABILITATION SERVICE

FOR THE U.S.-YUGOSLAV JOINT BOARD FOR SCIENTIFIC  
AND TECHNOLOGICAL COOPERATION:

/S/ ROGERS

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<< END OF DOCUMENT >>

## Message Attributes

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